

Assembly Joint Resolution No. 58

Adopted in Assembly April 11, 1996

Chief Clerk of the Assembly

Adopted in Senate May 24, 1996

Secretary of the Senate

This resolution was received by the Secretary of
State this____ day of _____, 1996,
at ____o'clock __M.

Deputy Secretary of State

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RESOLUTION CHAPTER ____

Assembly Joint Resolution No. 58—Relative to illegal, undocumented alien prisoners.

LEGISLATIVE COUNSEL'S DIGEST

AJR 58, Firestone. Undocumented alien prisoners.

This measure would request the President of the United States to make treaties with foreign governments to provide for the incarceration of undocumented, illegal alien prisoners in their countries of origin.

WHEREAS, There are approximately 137,000 inmates incarcerated in California's 31 state prison facilities and 38 prison camps; and

WHEREAS, The cost of housing one inmate in state prison in California for one year exceeds \$21,000; and

WHEREAS, The number of felons incarcerated in California's state prison system is expected to increase by 15,000 felons each year; and

WHEREAS, Felons are often housed two per cell, and in double-bunked dormitory beds; and

WHEREAS, The housing capacity within existing prisons is being rapidly filled with dangerous, violent, and repeat felons; and

WHEREAS, All prison housing capacity in California will be exhausted by late 1998; and

WHEREAS, Approximately 12 percent of all inmates incarcerated in California's state prison system are illegal, undocumented aliens; and

WHEREAS, These illegal, undocumented aliens occupy the equivalent bed space of five prison facilities; and

WHEREAS, Over the past 10 years, the budget of the California Department of Corrections has increased at an annual rate of about 8.1 percent, a much faster rate than budgets for other state agencies; and

WHEREAS, Without this sizable illegal, undocumented alien population housed in California's



state prison system, money that is currently being allocated to the California Department of Corrections could be used instead to build additional public schools and universities, or be appropriated to provide for increased public safety; and

WHEREAS, It is the responsibility of the federal government to establish the nation's immigration policy; and

WHEREAS, The federal government has been negligent in controlling the flow of illegal, undocumented aliens into the United States; and

WHEREAS, The federal government has not adequately compensated the people of California for the costs incurred by the federal government's negligence in failing to control the flow of illegal, undocumented aliens into the United States; and

WHEREAS, The undocumented inmates incarcerated in California's state prison system could be imprisoned within their country of origin at less expense to the people of California; and

WHEREAS, The United States Constitution explicitly prohibits states from entering into a treaty with any foreign nation; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature requests the President of the United States, with United States Senate ratification, to make treaties with foreign governments to provide for the incarceration of illegal, undocumented alien prisoners in their respective countries of origin; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the Governor, to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.



Attest:

Secretary of State

